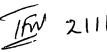
## OPE 40.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Apprecants:

THORSBAKKEN et al.

Examiner:

Cleary, T.

Serial No.:

10/028,161

Group Art Unit:

2111

Filing Date:

12/21/2001

Docket No.:

RA 5369

(USYS.088PA)

Title:

SYSTEM AND METHOD FOR MANAGING INPUT/OUTPUT

REQUESTS USING A FAIRNESS THROTTLE

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 13, 2006.

By: Kathleen Kluuthaumas Kathleen Klinkhammer

## **TRANSMITTAL**

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

We are submitting herewith the following:

Transmittal Sheet

Office Action Response, pages 1-14.

Postcard

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account No. 50-0996 (USYS.088PA).

Respectfully submitted,

Crawford Maunu PLLC 1270 Northland Drive, Suite 390 St. Paul, MN 55120

Name: LeRoy D. Maunu

Reg. No.: 35,274



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

THORSBAKKEN et al.

Examiner:

Cleary, T.

Serial No.:

10/028,161

Group Art Unit:

Kathleen Klinkhammer

2111

Filed:

December 21, 2001

Docket No.:

RA 5369

(USYS.088PA)

Title:

SYSTEM AND METHOD FOR MANAGING INPUT/OUTPUT

REQUESTS USING A FAIRNESS THROTTLE

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 13, 2006.

AMENDMENT AND RESPONSE

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the non-final Office Action dated October 14, 2005, please consider the remarks that follow. Reconsideration and allowance of the application are respectfully requested.

Amendments to the Claims begin on page 2.

Remarks begin on page 11.